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August 7, 2020

VIA ECF

Hon. Ona T. Wang, United States Magistrate Judge
United States Courthouse, Southern District of New York
500 Pearl Street
New York, NY 10007-1312

RE: Great American Insurance Company v. Regen, Benz
& MacKenzie, CPAs PC, Civ No.: 1:19-cv-02592 (GBD)(OTW)
Our File No.: 3569.10

Dear Judge Wang:

In accord with Your Honor's July 28, 2020 Order directing the parties to file a joint status letter, the following will provide a brief update as to the status of this matter. The parties' last status update was provided on July 7, 2020.

All expert reports and rebuttal expert reports have been exchanged in accordance with Your Honor's prior order. The parties presently have until September 11, 2020 to complete expert depositions. The parties have worked jointly to establish a schedule which they anticipate, subject to unforeseen complications from the ongoing Pandemic, will enable them to complete expert depositions in accordance with Your Honor's Order, by September 11, 2020. The parties look forward to further discussing this matter with Your Honor at the September 17th Status Conference which is scheduled for 11 am.

The underlying negligence and malpractice case brought by Laura Lemle against Regen Benz in New York state court remains pending (the "State Action"). Oral argument of the summary judgment motions was held on July 9, 2020. The Court granted the pre-answer motion to dismiss filed by Herrick Feinstein, LLP and otherwise denied the parties' motions for summary judgment. The Court set a trial date for the State Action for early February 2021.

Please let us know whether Your Honor would like the parties to submit a further status letter in advance of the September 17th Status Conference or if they should just be prepared to discuss the case and any remaining issues with Your Honor at the September 17th Status Conference.

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We look forward to hearing further from Your Honor.

Respectfully,

/s/ Kenneth M. Labbate

Kenneth M. Labbate

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